

REMARKS

I. Summary Of Office Action

Claims 1-306 were addressed in the Office Action.

The Office Action rejected claims 1-306 under various prior art rejections.

The Office Action objected to claim 140 because of an informality.

II. Summary Of Applicants' Reply

Applicants cancelled claims 1-116, 120-122, 154-269, and 273-275 without prejudice.

Applicants amended claims 140 and 293 to correct informalities.

Applicants have rewritten claims 117-119, 123-124, 270-272, and 276-277 in independent form to include all the features of the claims from which they depend. Claims 119 and 272 were also amended.

Applicants amended claims 135-136, 139, 288-289, and 292.

Applicants added new claims 307-336.

Claims 125-134, 137-138, 141-153, 278-287, 290-291, and 294-306 are also in this case.

The Office Action's rejections are respectfully traversed.

III. Applicants' Reply To The Rejection Of The Claims

A. Prior Art Rejections Under Nelson

1. Claims 117-119, 123, 270-272, and 276

Method claims 117-119 and 123, and system claims 270-272 and 276 are, generally speaking, directed towards scanning a code using a portable scanning device and acquiring enhanced information associated with the scanned code.

The Office Action rejected independent claims 117-119, 123, 270-272, and 276 as being anticipated by Nelson U.S. Patent 5,939,695 (hereinafter "Nelson").

A claim is anticipated "only if each and every element as set forth in the claim is found, either expressly or inherently described, in a single prior art reference." MPEP § 2131 citing *Verdegaal Bros. v. Union Oil Co. of California*, 814 F.2d 628, 631 (Fed. Cir. 1987). Applicants respectfully submit that Nelson does not show or suggest each and every element of claims 117-119, 123, 270-272, and 276. Accordingly, the § 102 rejection should be withdrawn.

Nelson discloses a system that allows customers of a retail establishment to scan codes affixed to tangible products inside the retail establishment to obtain information about those tangible products. There is no

showing or suggestion in Nelson to scan a code associated with an item that is other than a tangible product.

Claims 117-119, 123, 270-272, and 276, however, are directed to approaches for scanning a code associated with things other than tangible products. For example, scanned codes are "associated with an advertisement" (claims 117 and 270), "associated with a promotion" (claims 118 and 271), "associated with an article in a printed publication" (claims 119 and 272), or "scanned from another portable scanning device" (claims 123 and 276). Nelson does not disclose scanning codes from any of these types of media.

Accordingly, applicants respectfully submit that claims 117-119, 123, 270-272, and 276 are in condition for allowance.

2. Claims 124-138 and 277-291

Independent claims 124 and 277 were amended to state that "the acquired information comprises an upcoming schedule of use of [the] equipment associated with the [scanned] code." Support for this amendment is found, for example, on page 32, line 15, through page 34, line 19, of applicants' specification. In addition, support for this amendment is shown in, for example, FIGS. 16 and 17.

The Office Action rejected claims 124 and 277 for obviousness over Nelson in view of Ueda et al. U.S. Patent 4,866,258 (hereinafter "Ueda"). The Office Action cited Ueda for the proposition that Ueda discloses the scheduling of recording of televised programs. See Office Action, page 10. However, there is no showing or suggestion in Ueda to "acquire information associated with a scanned code, wherein the acquired information comprises an upcoming schedule of use of equipment associated with the scanned code" as featured by independent claims 124 and 277, as amended.

Ueda only "reserve[s] in advance [a] program desired to be recorded." Ueda, column 1, lines 26-27. There is no showing or suggestion in Ueda, however, for acquiring an "upcoming schedule of use of [the] equipment" that records the television program.

Accordingly, applicants respectfully submit that the Office Action has not made a prima facie case of obviousness for at least the reason that not all of the features of independent claims 124 and 277 have been achieved by the Nelson-Ueda combination.* Therefore, claims 124 and 277 are in condition for allowance.

* Applicants respectfully submit that the Office Action has not shown or suggested a motivation to combine Nelson and Ueda to achieve the claimed features.

Claims 125-138 and 278-291, which depend from claims 124 and 277 respectively, are therefore also in condition for allowance.*

B. Prior Art Rejections Under Cameron

1. Claims 139-153 and 292-306

The Office Action rejected claims 139 and 292 as being anticipated by Cameron et al. U.S. Patent 6,202,062 (hereinafter "Cameron"). Independent method claim 139 and independent system claim 292, as amended, feature a portable scanning device for allowing a user to acquire information associated with codes, acquiring information associated with the scanned code, and presenting the information to the user in a language determined by the user, "wherein the language is determined by the user after the code is scanned."

Cameron does not disclose such an approach.

Cameron discloses two embodiments for providing information based on scanned codes in a pre-programmed language. In the first embodiment, discussed in col. 57, lines 35-38, a barcode is scanned and information about the product associated with the barcode is shown in the user's preferred language. In the second embodiment, discussed in col. 58, lines 53-64, a barcode associated with a service manual

* Applicants amended claims 135-136 and 288-289 to conform to the amendments to the independent claims from which they depend.

printed in a foreign language is scanned. In response to scanning the code, a web-page with up to date information in the user's native language is displayed on the scanning device.

The language in which the information is displayed in both of these embodiments is based on a user profile. The user profile is set up before the code is scanned. Therefore, in both the first and second embodiments, the user cannot determine in which language the information is to be presented after the code is scanned.

Therefore, because Cameron does not show or suggest all of the features of applicants' independent claims 139 and 292, as amended, applicants respectfully submit that claims 139 and 292 are in condition for allowance. Claims 140-153 and 293-306, which respectively depend therefrom, are therefore also in condition for allowance.*

2. Claims 270-272

The Office Action rejected claims 270-272 as being anticipated by Cameron. The Office Action cited Cameron for the feature of "presenting information to the user in a language determined by the user" on a portable scanning

* Applicants amended claims 140 and 293 to correct an informality. See Section V (*infra*).

device. Office Action, page 7. Presenting information to the user in a language determined by the user is not, however, a feature of any of claims 270-272. Claims 270-272 as amended, are directed towards scanning codes "associated with an advertisement" (claim 270), "associated with a promotion" (claim 271), and "associated with an article in a printed publication" (claim 272).

Accordingly, because Cameron does not show or suggest all of the features of claims 270-272, applicants respectfully submit that claims 270-272 are allowable over Cameron.

IV. New Claims 307-336

Independent method claim 307 and independent system claim 322 are directed towards scanning a code using a portable device, acquiring information associated with the scanned code, and scheduling the use of a facility associated with the code. Independent claims 307 and 322 are based on original independent claims 124 and 277, respectively. Claims 307 and 322 differ in that they feature only a facility associated with a code be scheduled.

Applicants respectfully submit that there is no showing or suggestion in the prior art of the approach set forth in new independent claims 307 and 322. Therefore,

applicants respectfully submit that claims 307 and 322 are in condition for allowance. Claims 308-321 and 323-336, which depend from claims 307 and 322 respectively, are therefore also in condition for allowance.

V. Amendments To Correct Informalities

Claim 140 was amended to correct the lack of antecedent basis as suggested by the Office Action.

Claim 293 was also amended to correct an error based on antecedence.

VI. Information Disclosure Statement

In the Information Disclosure Statement mailed September 24, 2001, applicants called the attention of the Examiner to Knudson et al. U.S. Patent Application No. 09/330,792, filed June 11, 1999. The reference was not listed on the Form PTO-1449 that accompanied the Information Disclosure Statement to prevent the Application No. from being printed on the face of any patent issuing form this application.

Applicants requested that the Examiner write and initial "All references have been considered" on the bottom of the Form PTO-1449 that accompanied the Information

Disclosure Statement to indicate that the reference was considered. However, the Examiner did not write and initial "All references have been considered" on the Form PTO-1449.

Applicants respectfully request that the Examiner write and initial "All references have been considered" on the Form PTO-1449 being submitted concurrently with the accompanying Supplemental Information Disclosure Statement to indicate that the reference has been considered.

VII. Conclusion

In view of the foregoing, claims 117-119, 123-153, 270-272, and 276-336 are in condition for allowance. This application is therefore in condition for allowance. Reconsideration and allowance of this application are respectfully requested.

Respectfully submitted,



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APPENDIX

Markings To Show Changes Made

117. (Amended) [The method of claim 104] A method for using a portable scanning device for acquiring information associated with codes comprising:

scanning a code using a portable device wherein the portable device comprises code scanning equipment;

acquiring enhanced information associated with the scanned code; and

providing the enhanced information associated with the code wherein the code is associated with an advertisement.

118. (Amended) [The method of claim 104] A method for using a portable scanning device for acquiring information associated with codes comprising:

scanning a code using a portable device wherein the portable device comprises code scanning equipment;

acquiring enhanced information associated with the scanned code; and

providing the enhanced information associated with the code wherein the code is associated with a promotion.

119. (Amended) [The method of claim 104] A method for using a portable scanning device for acquiring information associated with codes comprising:

scanning a code using a portable device
wherein the portable device comprises code scanning equipment;

acquiring enhanced information associated with the scanned code; and

providing the enhanced information associated with the code wherein the code is associated with an article in a printed publication.

123. (Amended) [The method of claim 104] A method for using a portable scanning device for acquiring information associated with codes comprising:

scanning a code using a portable device
wherein the portable device comprises code scanning equipment;

acquiring enhanced information associated with the scanned code; and

providing the enhanced information associated with the code wherein the code is scanned from another portable scanning device.

124. (Amended) A method for using a portable scanning device for acquiring information associated with codes comprising:

scanning a code using a portable device wherein the portable device comprises code scanning equipment;

acquiring information associated with the scanned code, wherein the acquired information comprises an upcoming schedule of use of equipment associated with the code; and

scheduling the use of the equipment or [a facility associated with the code].

135. (Amended) The method of claim 124 further comprising verifying a specific user of the equipment [or facility] based on which portable device was used to scan the code.

136. (Amended) The method of claim 124 further comprising allowing the user to specify a time range for the use of the equipment [or facility].

139. (Amended) A method for using a portable scanning device for acquiring information associated with codes comprising:

scanning a code using a portable device wherein the portable device comprises code scanning equipment;

acquiring information associated with the scanned code; and

presenting the information to the user in a language determined by the user, wherein the language is determined by the user after the code is scanned.

140. (Amended) The method of claim 139 further comprising presenting the acquired information to a user at [the] a docking station via an output device at the docking station.

270. (Amended) [The system of claim 257] A system for using a portable scanning device for allowing a user to

acquire information associated with codes, the system
configured to:

scan a code using a portable device wherein
the portable device comprises code scanning equipment;
acquire enhanced information associated with
the scanned code; and

provide the enhanced information associated
with the code, wherein the code is associated with an
advertisement.

271. (Amended) [The system of claim 257] A system
for using a portable scanning device for allowing a user to
acquire information associated with codes, the system
configured to:

scan a code using a portable device wherein
the portable device comprises code scanning equipment;
acquire enhanced information associated with
the scanned code; and
provide the enhanced information associated
with the code, wherein the code is associated with a
promotion.

272. (Amended) [The system of claim 257] A system
for using a portable scanning device for allowing a user to

acquire information associated with codes, the system
configured to:

scan a code using a portable device wherein
the portable device comprises code scanning equipment;
acquire enhanced information associated with
the scanned code; and

provide the enhanced information associated
with the code, wherein the code is associated with an
article in a printed publication.

276. (Amended) [The system of claim 257] A system
for using a portable scanning device for allowing a user to
acquire information associated with codes, the system
configured to:

scan a code using a portable device wherein
the portable device comprises code scanning equipment;
acquire enhanced information associated with
the scanned code; and
provide the enhanced information associated
with the code, wherein the code is scanned from another
portable scanning device.

277. (Amended) A system for using a portable scanning device for allowing a user to acquire information associated with codes, the system configured to:

scan a code using a portable device wherein the portable device comprises code scanning equipment; acquire information associated with the scanned code, wherein the acquired information comprises an upcoming schedule of use of equipment associated with the code; and

schedule the use of the equipment [or a facility associated with the code].

288. (Amended) The system of claim 277 further configured to verify a specific user of the equipment [or facility] based on which portable device was used to scan the code.

289. (Amended) The system of claim 277 further configured to allow the user to specify a time range for the use of the equipment [or facility].

292. (Amended) A system for using a portable scanning device for allowing a user to acquire information associated with codes, the system configured to:

scan a code using a portable device wherein
the portable device comprises code scanning equipment;

acquire information associated with the
scanned code; and

present the information to the user in a
language determined by the user, wherein the language is
determined by the user after the code is scanned.

293. (Amended) The system of claim 292 further
configured to present the acquired information to a user at
[the] a docking station via an output device at the docking
station.